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PART-I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION HARYANA
NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17,
PANCHKULA, HARYANA-134109

Notification

The 14th March, 2019

No. SEC/4E-II/2019/285.— Whereas the Commission had notified the name of Sh. Ajit as elected Sarpanch, Gram Panchayat, Kari Rupa Das under its notification No. SEC/E II/2016/2005, dated 10.02.2016.

2. Whereas, Deputy Commissioner, Charkhi Dadri *vide* letter No. 746/Panchayat, dated 27.02.2019 forwarded a copy of order dated 11.01.2019 (uncertified) with the report that Hon'ble High Court in CWP 2431 of 2018 -Vijay Vs State of Haryana & Ors quashed and set aside the impugned judgment dated 27.11.2017 of the Civil Judge (Junior Division), Charkhi Dadri and further allowed the election petition No. 36 of 2016 filed by the petitioner. That the election of respondent No. 3- Ajit Singh as Sarpanch of Gram Panchayat of village Kari Rupa Das declared illegal and set aside. It has also been directed that competent authority shall conduct election to the post of Sarpanch of Gram Panchayat of village Kari Rupa Das within a period of four weeks from the date of issuance of certified copy of the order to the petitioner.

3. Whereas, the Commission *vide* its notification No. SEC/3E-II/2019/262-70, dated 01.03.2019 immediately initiated the process for the updation of existing voter list of the Gram Panchayat Kari Rupa Das. In the meantime, Deputy Commissioner, Charkhi Dadri was asked to make available certified copy of orders dated 11.01.2019 of the Hon'ble High Court immediately, which has now been received by this office on 05.03.2019.

4. In compliance of above orders of Hon'ble High Court, the State Election Commission, Haryana denotify the name of Sh. Ajit as elected Sarpanch, Gram Panchayat, Kari Rupa Das with immediate effect and further in exercise of powers vested under clause (1) of Article 243K of the Constitution of India and under Rule 24 of the Haryana Panchayati Raj (Election) Rules, 1994 and all other powers enabling me in this behalf and in pursuance of the

provisions contained in Sub-Section (1) of Section 161 and Sub-Section (2) of Section 211 of the Haryana Panchayati Raj Act, 1994, hereby prescribe time schedule for the conduct of election of Sarpanch of Gram Panchayat Kari Rupa (Dass) as per programme stated below:-

(Time Schedule)

Sr. No.	Programme	Date
1.	Date on which notice shall be published by the District Election Officer (Panchayat) in Form 2 or 3, as the case may be, for inviting nominations under rule 24 of the Haryana Panchayati Raj Election Rules, 1994.	15.03.2019
2.	Dates on which Nomination papers shall be presented under Rule 24(2) (i).	22.03.2019 to 27.03.2019 (10.00 A.M. to 3.00 P.M.) (except 24.03.2019 being gazetted holiday)
3.	Dates on which the list of Nomination papers received shall be pasted under Rule 24(2) (ii).	22.03.2019 to 27.03.2019
4.	Date by which Affidavit/declaration shall be furnished by the candidate in Form 4-A & 4-B, to the concerned Returning Officer. (Rule 27).	22.03.2019 to 27.03.2019
5.	Date on which the nomination papers shall be scrutinized under Rule 24(2)(iii).	28.03.2019 (10.00 A.M. onwards)
6.	Last date for withdrawal of candidature by a candidate under Rule 24(2)(iv).	29.03.2019 (upto 3.00 P.M.)
7.	Date on which symbols shall be allotted to the contesting candidates.	29.03.2019 (After 3.00 P.M.)
8.	Date on which the list of contesting candidates shall be pasted under Rule 24(2)(v).	29.03.2019 (immediately after the allotment of symbols)
9.	Date on which the poll, if any, shall be held under Rule 24(2) (vi).	07.04.2019 (Sunday)
10.	Timing of the poll	Between 8.00 A.M. to 4.00 P.M.
11.	Counting of votes	(i) Immediately after the close of poll. (ii) In case of re-poll, the Commission may change the date and time of counting of votes.

2. It is further directed as under:-

- (a) If there is any stay order passed by any competent authority or Court against this vacancy, the election to this seat shall not be held and a report to that effect be sent to the Commission, immediately.
- (b) **The programme for updation of voter list issued under notification No. SEC/3E-II/2019/262-70, dated 01.03.2019 in respect of Gram Panchayat Kari Rupa Das only stands withdrawn with immediate effect. The existing voter list shall be used for holding the election of Sarpanch, Gram Panchayat, Kari Rupa Das.**
- (c) During the period of election, no new development work in the area concerned is started.
- (d) The District Election Officer (Panchayat) Charkhi Dadri shall by notice in Form 2 or 3, as the case may be, specify the above programme i.e. (i) last date, time and place of making nominations; (ii) the date, time and place for scrutiny of the nomination papers (iii) date and time for withdrawal of candidature (iv) preparation of list of contesting candidates and allotment of symbols (v) date and time during which the poll will be held and (vi) date, time and place of counting of votes in accordance with the

provisions contained in Rule 24 of the Haryana Panchayati Raj (Election) Rules, 1994 and will send a copy of the notice to the Commission by fax or email.

- (e) Nomination papers for this seat shall be filed and received at Headquarter of the Gram Panchayat concerned by the Returning Officer/Assistant Returning Officer.
- (f) The work of scrutiny of nomination papers should not be delegated to the Assistant Returning Officer.
- (g) The Returning Officer shall supply nomination paper (Form-4) and affidavit/declaration forms i.e. Form 4-A & 4-B on demand to the contesting candidates.
- (h) The Returning Officer shall also obtain an affidavit/declaration in Form 4-A and 4-B (reflecting the latest position of dues etc.) alongwith required documents during the prescribed period mentioned at Sr. No. 4 of the time schedule, from those candidates who have filed the nomination.
- (i) The Returning Officer shall make the scrutiny of all the nomination papers on the day fixed for scrutiny.
- (j) Immediately after the withdrawal of candidature, the Returning Officer shall prepare a list of contesting candidates in the prescribed forms i.e. in Forms 6, 7 and 8 (as the case may be) and shall mention the symbol allotted to the contesting candidates against his/her name at column No. 4. After the allotment of symbol, the signature of the contesting candidates or his election agent should be obtained in the relevant form as token to the fact that the candidates have been informed about the symbol allotted to him/her.

3. NOTA (None of the above) option will be used in the election so that voters, who come to the polling stations and decide not to vote for any candidate in fray, are able to exercise their right not to vote with maintaining their right of secrecy.

4. It is further directed that the counting of votes shall be done immediately after the close of poll at the polling stations, but before starting counting, the Returning Officer concerned shall ensure that the voting at the polling booths under his control has been completed. If re-poll is recommended, the Commission may change the date and time of counting.

5. It is further directed that all voters of the respective area who have been issued the Electoral Photo Identity Cards for Assembly and Lok Sabha Elections and the Electoral Photo Identity Card numbers have been mentioned in case of the Panchayat Voters list also, shall have to produce these cards to exercise their franchise when they come to the polling stations for voting. If any elector has not been issued Electoral Photo Identity Cards by the Election Commission of India, he/she will have to produce any one out of the following documentary evidence to establish his/her identity:--

(i)	Driving License,
(ii)	Income Tax Identity (PAN) Card,
(iii)	Service Identity Card issued to employees by Central/State Government Offices, Public Sector Undertakings, Local Bodies or other public Limited Company,
(iv)	Pass Book of accounts, having photograph, opened in a scheduled bank or post office,
(v)	Freedom Fighter Identity Card having photograph,
(vi)	SC/ST/OBC certificate having photograph, issued by competent authority
(vii)	Certificate of Physical Handicap having photograph issued by the Competent Authority,
(viii)	Arms License having photograph,
(ix)	Job Cards with photograph issued under the National Rural Employment Guarantee Scheme,
(x)	Property documents with photographs such as Pattas, Registered Deeds etc.,
(xi)	Pension Documents such as Ex-Servicemen Pension Book/Pension Payment Order, Ex-Servicemen's Widow/Dependent Certificate, Old Age Pension Order, Widow Pension Order, with photograph,
(xii)	Health Insurance Scheme Smart Cards with Photograph,
(xiii)	Ration Cards or any other similar documents establishing identity of the electors to the satisfaction of the Presiding Officer, having photograph.
(xiv)	Aadhar Card issued by UIDAI
(xv)	Passport

An odd elector, who does not have any of the above cards would be allowed to vote, if he/she is able to establish his/her identity to the satisfaction of the Presiding Officer and such other Polling Officer authorized by the Presiding Officer in this behalf.

6. It is further directed to make the following security arrangements for the conduct of free, fair and peaceful elections.

- i. Adequate police personnel shall be deployed at the polling stations, counting centers for security and maintenance of law and order to ensure peaceful, smooth and fair election.
- ii. Law and order report shall be sent to the State Election Commission till the election process is completed.
- iii. Provide security to the contesting candidates, if they desire so.
- iv. It shall be ensured that no untoward incident takes places during elections.

7. In order to curb undesirable and illegal activities, the Commission hereby imposes restriction to hire or procure not more than 2 vehicles or vessels whether on payment or otherwise for use by a contesting candidate himself or his agents or his supporters on the day of poll during the Panchayat Election. It is also stated that :

- i. The expression "Vehicle" means any vehicle used or capable of being used for the purpose of road transport whether propelled by mechanical power or otherwise, and whether used for drawing other vehicle or otherwise.
- ii. The contesting candidates should be issued permits as per proforma prescribed by the Commission appended herewith. The permits should be issued to the contesting candidates at least 2 days before the day of poll.
- iii. The District Administration shall keep a close watch on the vehicles used by persons accompanying the contesting candidates and their supporters to prevent any possible mischief, including criminal activities like carrying of illegal arms and weapons. If any of these vehicles, either of a contesting candidate or a private owner, is found to be involved in any such act or for carting anti-social elements with a view to intimidating or creating terror in the minds of the voters, it should be the duty of the local administration to impound such vehicles and not to release them till the process of elections is completed. In addition, accordingly action against the owner, the occupant/occupants and the candidate who is involved in such illegal activities shall also be taken as per law.
- iv. The District Administration shall launch a drive for checking the vehicles immediately upon the announcement of the elections and shall continue the drive till the completion of the process of elections.
- v. All recognized National/State Political Parties in the State of Haryana and each contesting candidates, or an agent authorized by him be intimated in this respect.
- vi. Permit in this respect shall be issued in the performa given here as under:-

PROFORMA

PANCHAYAT ELECTIONS- March, 2019

Permit No. _____

Gram Panchayat _____

Name of Candidate _____

Vehicle Number _____

Returning Officer (P)

Seal

8. It is further directed that the votes for this election shall be given by recording of votes by voting machines [Electronic Voting Machines (EVMs)].
9. It is further directed that the Deputy Commissioner-cum-District Election Officer (Panchayat) Charkhi Dadri shall send name of the elected person immediately after declaration of election result, in Hindi and English as per procedure prescribed by the Commission *vide* its order No. S.E.C./3E-II/2011/748 dated 16.05.2011.
10. It is also further directed that the Deputy Commissioner-cum- District Election Officer (Panchayat), Charkhi Dadri shall send a report of the contesting candidate, who have filed and not filed their election expenditure statement within 30 days from the declaration of election result, as required under the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of Accounts) Order, 1996 issued under Endst. No. SEC/3E-II/96/7675-97 dated 07.06.1996. The report in this regard must reach this Commission within 45 days after the declaration of election result.

Panchkula:
The 14th March, 2019.

DR. DALIP SINGH,
State Election Commissioner, Haryana.